

REMARKS

The Office examined claims 1-8 and 10-27, and rejected same. With this paper, none of the claims are amended, none is canceled and none is added. The application still includes 26 claims.

Claim Rejections under 35 USC §102

The Office rejected claims 22-24 under 35 USC §102(e) as being anticipated by Firooz (U.S. Patent No. 6,035,035)

Independent claim 22 recites a method of forming a housing. The housing comprises a unitary tubular body having an open end for insertion of electronic components therein. The method includes a step of permanently attaching at least two housing portions together to form the unitary body.

In rejecting the claim, the Examiner suggests the “unitary tubular body having an open end” is equivalent to the bracelet shaped body portions 2a and 2b shown in Figures 1 and 2 of Firooz. The Examiner further reads the “open end for insertion of electronic components” onto a location on the portion 2a on which a LCD 7 is mounted.

If, as the examiner suggested, the “unitary tubular body having an open end” includes a bracelet shaped body with two open ends as shown in Figures 1 and 2 of Firooz, the limitation “for insertion of electronic components therein” would naturally be understood as inserting electronic components into the bracelet shaped body through one of the open ends. In Fig. 1 of Firooz, the LCD 7 is clearly shown mounted on the outer surface of the body portion 2a. Nowhere in Firooz there is an indication or suggestion that the LCD is inserted through any of the open ends. In fact, the body portions 2a and 2b of Firooz form a tubular shape for wrapping around a human wrist, not for receiving electronic components. Firooz, therefore, fails to teach a feature of claim 22, “a housing comprising a unitary body having an open end for insertion of electronic components therein”.

The Examiner further asserts that the step of “permanently attaching at least two housing portions together to form the unitary body” in claim 22 reads on Firooz in that the first portion 2a and the second portion 2b are closed to form a bracelet shape.

Contrary to the assertion of the Examiner, Firooz teaches: “a device ... which comprises a housing in the form of a bracelet 2 having two C-shaped portions 2a and 2b. The portions 2a and 2b are at one end permanently coupled by a pair of hinges 3, so as to be pivotal one relative to the other between a closed state of the bracelet 2 when being worn on a wrist 5 of the user, and an open state for removing the bracelet from the user’s wrist.” (Col. 3, lines 18-24). There is no permanent attachment of the portions 2a and 2b, as the bracelet can be removed from the user’s wrist by means of a latch 4, “[i]t is appreciated that appropriate means are provided for easily unlocking the latch 4 by the user’s hand.” (Col. 3, lines 29-30).

Therefore, Firooz fails to teach a further feature of claim 22, “the method including the step of permanently attaching at least two housing portions together to form said unitary body.”

Since Firooz fails to disclose the features claimed in claim 22 as mentioned above, claim 22 is believed to be patentable with respect to Firooz. Applicants respectfully request the rejection of claim 22 be reconsidered and withdrawn.

In addition, dependent claims 23 and 24 are also considered patentable based on the reasons provided. Applicants respectfully request that the rejection on these claims be reconsidered and withdrawn.

Claim Rejections under 35 USC §103

The Office rejected claims 1-5, 10-21 and 25-27 under 35 USC §103(a) as being unpatentable over Firooz (U.S. Patent No. 6,035,035) in view of Kubo (U.S. Patent No. 6,580,923)

Claim 1 is drawn to a housing for an electronic device. The housing comprise a unitary tubular body having an open end for insertion of electronic components therein. The unitary

tubular body includes a plurality of apertures in one face to receive the keys of a keymat mounted on an inner wall of the body, and an opening in the other face opposite the apertures to receive a battery pack.

The feature “a housing comprising a unitary body having a open end for insertion of electronic components therein” was rejected based on the same ground that the same feature in claim 22 was rejected, plus additional reference to Kubo with regard to the feature of “a plurality of apertures in one face to receive the keys of a keymat mounted on an inner wall of the body, and an opening in the other face opposite the apertures to receive a battery pack.”

With the same reasoning as presented above, Firooz fails to teach the feature “a housing comprising a unitary body having a open end for insertion of electronic components therein” of claim 1.

Although Kubo teaches “a front case 32 has a plurality of apertures, a back case 34, and a battery pack mounting portion 45” in Fig. 3, it is not possible for a person skilled in the art to combine what is disclosed in Firooz and Kubo to arrive at the current invention.

To establish a *prima facie* case of obviousness, the Patent Office must meet three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant’s disclosure (MPEP 706.02). For claim 1, none of the criteria are satisfied.

Therefore, the current invention as recited in claim 1 is not obvious with regard to Kubo in view of Firooz. Applicants respectfully request that the rejection of claim 1 be reconsidered and withdrawn.

In addition, dependent claims 2-5 and 10-21 are also believed to be patentable over Firooz in view of Kubo. Applicants respectfully request the rejection of these claims be reconsidered and withdrawn.

Claim 25 recites a method of forming a housing that includes all the features of claim 1, and claims 26 and 27 depend on claim 25. Since claim 1 is believed to be patentable, applicants therefore request that the rejections of claims 25-27 also be reconsidered and withdrawn.

Claims 6-8 are rejected under 35 USC §103(a) as being unpatentable over Firooz (U.S. Patent No. 6,035,035) in view of Kubo (U.S. Patent No. 6,580,923) as applied to claim 1 above, and further in view of Norman et al. (U.S. Patent No. 6,073,027).

Since claims 6-8 depend on claim 1, which is believed to be patentable for the reasons above, these claims should also be patentable. Applicants respectfully request the rejection of these claims be reconsidered and withdrawn.

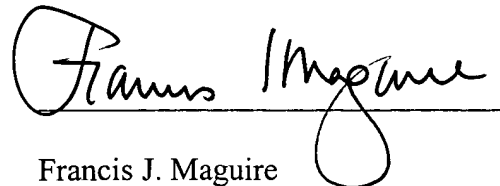
Conclusion

For all the foregoing reasons it is believed that all of the claims of the application are now in condition for allowance, and their passage to issue is earnestly solicited. Applicants' attorney urges the Examiner to call to discuss the present response if there are any questions.

Date: 5 August '05

Ware, Fressola, Van Der Sluys &
Adolphson LLP
755 Main Street, P.O. Box 224
Monroe, CT 06468-0224
Tel: (203) 261-1234
Cust. No.: 004955

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis J. Maguire", written over a horizontal line.

Francis J. Maguire
Attorney for the Applicant
Registration No. 31,391